

# Exhibit A

**United States District Court**  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

*CR 07-754PJH*

UNITED STATES OF AMERICA,

V.

CARLOS GARRIDO  
a/k/a "Tweety"

DEFENDANT(S).

**SUPERSEDING INDICTMENT**

Title 18, United States Code, Section 922(g)(5)(A) - Alien in Possession of a Firearm;

Title 8, United States Code, Section 1326 - Deported Alien Found in the United States

*INDICT*  
A true bill.

*Joe VonLoth*  
Foreman

Filed in open court this 6 day of

*MARCH 2008*

*Karen L. Hom* KAREN L. HOM

JOSEPH C. SPERO Clerk

UNITED STATES MAGISTRATE JUDGE

Bail, \$

*no pram*

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☒ SUPERSEDING**OFFENSE CHARGED**Count One: 18 U.S.C. Sec. 922(g)(5)(A)  
Count Two: 8 U.S.C. Sec. 1326☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony**PENALTY:**Count One: 10 yrs prison, \$250,000 fine; 3 yrs sup rel; \$100 SA  
Count Two: 2 yrs prison, \$250,000 fine; 1 yr sup rel; \$100 SA**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☒ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW  
DOCKET NO.

CR 07 0754 PJH

MAGISTRATE  
CASE NO.

Name and Office of Person

Furnishing Information on  
THIS FORM Joseph P. Russoniello☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(If assigned)

R. D. Recs

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT - U.S.**

CARLOS GARRIDO a/k/a "Tweety"

DISTRICT COURT NUMBER

CR 07 0754 PJH

**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.  
If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of Institution

Has detainer  
been filed?☒ Yes  
☐ NoIf "Yes"  
give date  
filed**DATE OF  
ARREST**

Month/Day/Year

Or... If Arresting Agency &amp; Warrant were not

Month/Day/Year

**DATE TRANSFERRED  
TO U.S. CUSTODY**☒ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\*☐ WARRANT Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

*\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

FILED  
03 MAR -6 PM 3:40  
J. HARRIS  
U.S. DISTRICT COURT  
SAN FRANCISCO, CALIFORNIA

JOSEPH P. RUSSONIELLO (CASBN 44332)  
United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. 07 00754 PJH
Plaintiff,	)	
v.	)	VIOLATIONS: Title 18, United States
CARLOS GARRIDO,	)	Code, Section 922(g)(5)(A) – Alien in
a/k/a "Tweety,"	)	Possession of a Firearm; Title 8, United
Defendant.	)	States Code, Section 1326, Deported Alien
	)	Found in the United States
	)	SAN FRANCISCO VENUE

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE: 18 U.S.C. § 922(g)(5)(A)

On or about February 25, 2006, in the Northern District of California, the defendant,

CARLOS GARRIDO,  
a/k/a "Tweety,"

being an alien illegally and unlawfully in the United States, did knowingly possess a firearm, to wit, a High Standard .22 caliber handgun, Serial No. 1823247, in and affecting commerce, in violation of Title 18, United States Code, Section 922(g)(5)(A).

COUNT TWO: 8 U.S.C. § 1326

SUPERSEDING INDICTMENT

1 On or about February 18, 2008, in the Northern District of California, the defendant,

2 CARLOS GARRIDO,  
3 a/k/a "Tweety,"

4 an alien, having been previously excluded, deported, and removed from the United States to  
5 Guatemala, and having subsequently voluntarily returned to and remained in the United States,  
6 was found in the Northern District of California, the Attorney General of the United States and  
7 the Secretary for the Department of Homeland Security not having expressly consented to a  
8 reapplication by the defendant for admission into the United States, in violation of Title 8, United  
9 States Code, Section 1326.

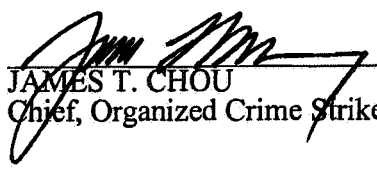
10  
11  
12 DATED:


MARCH 6 2008

A TRUE BILL.

13  
14   
15 FOREPERSON

16 JOSEPH P. RUSSONIELLO  
17 United States Attorney

18  
19   
20 JAMES T. CHOU  
21 Chief, Organized Crime Strike Force Section

22 (Approved as to form: )

AUSA REES